

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

REGULAR MEETING AGENDA

AUGUST 20, 2008

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL_____

PRAYER_____

**APPROVAL OF THE MINUTES OF THE
SPECIAL MEETINGS OF JULY 30, 2008,
AUGUST 1, 2008 AND AUGUST 13, 2008**_____

**ITEMS NOT ON THE AGENDA –
SUSPENSION OF THE RULES**_____

**PUBLIC COMMENT ON ANY
PUBLIC MATTER NOT ON THE AGENDA**_____

CHIEF EXECUTIVE’S REPORT_____

SECTION I INVITATION FOR BIDS

SEALED BIDS FOR THE SEACAST OF MONTANA LLC – BUTTE FACILITY, ADDITION AND BUILD-OUT OF SEACAST OF MONTANA BUILDING FOR CITY AND COUNTY OF BUTTE-SILVER BOW.
(Communication No. 08-534 being held in Committee of the Whole) Proof of publication.

SECTION II PRESENTATION COMMUNICATION NO. 08-585

Jeff Amerman, Finance and Budget Director, requesting time on the 8/20/08 agenda to make a presentation on the FY 2008- 2009 Preliminary Budget.

SECTION III

PRESENTATION COMMUNICATION NO. 08-586

Jeff Amerman, Finance and Budget Director, requesting time on the 8/20/08 agenda to make a presentation regarding the adjustment of base values in the Ramsey TIFID

SECTION IV

CONSENT AGENDA

- A.
 - 1. COMMITTEE OF THE WHOLE MEETING REPORT
 - 2. FINANCE & BUDGET COMMITTEE MEETING REPORT
 - 3. JUDICIARY COMMITTEE MEETING REPORT
 - 4. PUBLIC WORKS COMMITTEE MEETING REPORT
 - 5. PERSONNEL COMMITTEE MEETING REPORT

B. COMMUNICATIONS

- 1. 08-565 Rick Larson, Health Officer, regarding awarding low quote for repair of storm water drain system at the Kelley Mine Warehouse to Lockmer Plumbing. **Recommendation: note and place on file.**
- 2. 08-566 Rick Larson, Health Officer, regarding low quote for replacement of overhead door at the Kelley Mine Warehouse to Superior Door LLC. **Recommendation: note and place on file.**
- 3. 08-567 Michael A. Monson, Holland and Hart LLP, requesting authorization for Chief Executive to sign Landowner's Waiver and Consent. **Recommendation: refer to Committee of the Whole and County Attorney for review of form.**
- 4. 08-568 Carole Kovacich, Program Director Discovery House, requesting continued support of \$5,000 for the care of Butte youth in Discovery House. **Recommendation: concur pending passage of Budget and place on file.**
- 5. 08-569 Robert A. Macioroski, Director Land Office, requesting return of county property to Butte-Silver Bow and refund of money to Dan and Donna Driver. **Recommendation: place on file.**
- 6. 08-570 Patty Boggs, Health Coordinator, requesting permission to hold Annual Pow Wow and Aids Fun Run on September 12 and September 13, 2008 at the Civic Center. **Recommendation: concur and place on file.**
- 7. 08-571 Lee Phillips, Director Butte-Silver Bow Public Library, requesting

authorization for Chief Executive to sign agreement with Johnson Controls for service for the HVAC System. **Recommendation: concur and place on file.**

8. 08-572 Robert A. Macioroski, Director Land Records, requesting authorization for Chief Executive to enter into service agreement with Selby's for copier maintenance. **Recommendation: concur and place on file.**
9. 08-573 John P. Walsh, Sheriff, requesting waiver of sick leave grant requirement for Peggy Leary. **Recommendation: refer to Personnel Committee.**
10. 08-575 Rick Larson, Director of Public Health, requesting authorization for Chief Executive to sign twelve contracts with various entities. **Recommendation: concur and place on file.**
11. 08-576 Ray J. Berryman, regarding intent to retire from Butte-Silver Bow Fire Department effective Monday, August 25, 2008. **Recommendation: note and place on file**
12. 08-579 Robert A. Macioroski, Director Land Records, requesting approval of list of obsolete equipment for recycling. **Recommendation: concur and place on file.**
13. 08-580 Sherrie Walsh, Building Manager, Business Development Center, requesting authorization for Chief Executive to enter into contract with Empire Office Machines for copier maintenance. **Recommendation: concur and place on file.**
14. 08-582 Karen Byrnes, Director, requesting authorization for Chief Executive to sign contract with Pioneer Technical, Inc. for Construction, administration and testing for SeaCast Facility addition and build-out. **Recommendation: concur and place on file.**
15. 08-583 Tim Clark, Personnel Director, requesting authorization for Chief Executive to sign settlement agreement. **Recommendation: concur and place on file.**
16. 08-584 Linda Sajor, Director MIS, requesting permission to recycle broken or obsolete equipment. **Recommendation: concur and place on file.**
17. 08-587 Jeff Amerman, Finance and Budget Director, requesting time on the 9/10/08 agenda to conduct a public hearing regarding the

FY 2008 – 2009 Preliminary Budget. **Recommendation:**
Schedule public hearing and hold in Committee of the Whole.

18. 08-588 Charlie O’Leary, Chairman Council of Commissioners, requesting concurrence in setting 9/24/08 as date for reports from 2007 recipients of Economic Development Mill Levy money and to set 10/15/08 as deadline for submissions for 2008 Mill Levy money. **Recommendation: concur and place on file. (Also contact all Recipients).**
19. 08-589 Tim Clark, Personnel Director, requesting authorization for Chief Executive to enter into contract with Montana Nurses’ Association. **Recommendation: concur and place on file**
20. 08-590 Dan Semmens, Dorsey and Whitney, LLP, requesting authorization for Chief Executive to sign acknowledgment letter for proposal from Dorsey & Whitney, LLC. **Recommendation: concur and place on file.**
21. 08-591 Bruce Evans, Plant Superintendent, requesting approval of request to have equipment removed from our assets. **Recommendation: concur and place on file.**
22. 08-592 Karen Byrnes, Director Community Development Department, requesting approval of request to recycle obsolete equipment. **Recommendation: concur and place on file.**
23. 08-593 Dan Dennehy, Interim Public Works Director, requesting authorization for Chief Executive to extend time of contract with Robert Peccia & Associates. **Recommendation: concur and place on file.**
24. 08-594 Jon Sesso, Planning Director, requesting authorization for Chief Executive to sign contract with Montana Department of Administration to receive grant funds under the Montana Land Information Act Program. **Recommendation: concur and place on file.**
25. 08-596 Dan Dennehy, Interim Public Works Director, requesting authorization for Chief Executive to enter into contract with Water and Environmental Technologies. **Recommendation: concur and place on file.**

SECTION V

COMMUNICATIONS TO BE READ AND ACTED UPON

1. 05-574 Debra D. Williams and Bob Lee, Justices of the Peace, regarding

part-time clerk position in Justice Court.

2. 08-577 Robert Baide, requesting time on the 8/20/08 agenda to discuss recent review by the Weed Board.
3. 08-596 Ristene Hall, Consideration to run for Council District 3 while temporarily living outside the district.

**SECTION VI ORDINANCES AND RESOLUTIONS –
REFERRED TO JUDICIARY**

1. COUNCIL RESOLUTION NO. 08-62

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS TRACT G OF THE SALLE MINOR SUBDIVISION, PLAT NO. 252-A, ALSO KNOWN AS A PORTION OF THE BUFFALO LODGE (AN UNFILED PLAT), MINERAL SURVEY NO. 579 LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M.,.

2. COUNCIL RESOLUTION NO. 08-63

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS ALL OF BUTTE-SILVER BOW'S INTEREST IN TRACT 2, CERTIFICATE OF SURVEY NO. 869-B, ALSO KNOWN AS A PORTION OF CASH ENTRY 1098, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 7 WEST, P.M.M, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 08-64

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS THE SOUTH PORTION OF LOTS 5 AND 6 IN BLOCK 11 OF THE HOPE ADDITION AND THE SOUTH 40 OF LOTS NUMBERED 1 AND 2 IN BLOCK 1 OF THE VOLUNTEER ADDITION OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS' RETAINING A 10 FOOT EASEMENT FOR ROADWAY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII

ORDINANCES AND RESOLUTIONS –
FINAL READING

1. COUNCIL RESOLUTION NO. 08-52

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THAT PORTION OF IOWA AVENUE BETWEEN BLOCKS 32 AND 34 OF THE CLARK'S ADDITION TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

2. COUNCIL RESOLUTION NO. 08-53

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THAT PORTION OF FIFTH (5TH) STREET BETWEEN 8 AND 10 OF THE MELROSE ADDITION TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

3. COUNCIL RESOLUTION NO. 08-55

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY LOCATED IN THE 400 BLOCK OF EAST PARK STREET, LEGALLY DESCRIBED AS LOTS 47-49 AND THE 3.5' OF LOT 50 OF THE LIZZIE LODGE, M.S. SECTION 18, TOWNSHIP 3 NORTH, RANGE 7 WEST, BUTTE-SILVER BOW, MONTANA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL RESOLUTION NO. 08-56

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY KNOWN AS 715 UTAH AVENUE, LEGALLY DESCRIBED AS LOT 11, BLOCK 6 OF THE CENTRAL ADDITION FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

5. COUNCIL RESOLUTION NO. 08-57

A RESOLUTION RESCINDING BUTTE-SILVER BOW COUNCIL RESOLUTION 06-04 WHICH AUTHORIZED THE SALE OF PARCEL NO. 14710000 TO ANDREW OVERBY, AND AUTHORIZING AN APPROVING

THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY KNOWN AS 621 W. QUARTZ STREET, AND MORE PARTICULARLY DESCRIBED AS THE 2. 17.5' OF LOT 5, THE 3. 10.5' OF LOT 6, BLOCK 2 OF THE PLYMOUTH LODE FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. COUNCIL RESOLUTION NO. 08-58

A RESOLUTION CREATING SPECIAL IMPROVEMENT DISTRICT NO. 1028 FOR THE PURPOSE OF MAINTAINING AND INSTALLING AN ELECTRICAL LIGHTING SYSTEM; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL IMPROVEMENT LIGHTING DISTRICT; STATING THE PURPOSE OF AND THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE IN SAID SPECIAL IMPROVEMENT DISTRICT; ESTIMATING THE APPROXIMATE COST OF MAINTAINING AND SUPPLYING ENERGY THEREOF FOR THE FIRST YEAR; FINDING, DETERMINING, AND DECLARING THAT SUCH PROPERTY SHOULD BE ASSESSED FOR COST THEREOF OF MAINTENANCE AND ENERGY AND EXTENDING SUCH ASSESSMENT TO BE IN SEMI-ANNUAL INSTALLMENTS AND PROVIDING FOR THE FUND UPON WHICH SAID SPECIAL IMPROVEMENT FUNDS SHALL BE DRAWN; WITHDRAWING ALL PROPERTY DESCRIBED IN EXHIBIT "A" FROM OTHER SPECIAL IMPROVEMENT LIGHTING ASSESSMENTS AND PROVIDING FOR THE EFFECTIVE DATE HEREOF

7. COUNCIL RESOLUTION NO. 08-59

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS THE CENTER PORTION OF LOTS 23 AND 24 IN BLOCK 7 OF THE NOYES AND UPTON ADDITION BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS; REPEALING COUNCIL RESOLUTION NO. 08-43 DATED JULY 2, 2008 AND ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

8. COUNCIL RESOLUTION NO. 08-60

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOTS 5 AND 7 IN BLOCK 8 OF THE BELL OF BUTTE ADDITION BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING

OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

9. COUNCIL RESOLUTION NO. 08-61

RESOLUTION RELATING TO WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2008; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF.

SECTION VII CALENDAR OF OTHER MEETINGS AND EVENTS

Aug. 27	TIFID Board	11:30 AM	Business Development Center
Aug. 27	Local Emergency Planning Committee	Noon	1 st Floor Conference Room
Aug. 27	Port of Montana	Noon	Hub Center
Aug. 27	Urban Revitalization	9 AM	1 st Floor Conference Room
Aug. 28	Business Development Center	10 AM	Business Development Center
Aug. 28	Planning Board	7PM	Council Chambers
Sept. 1	Airport Authority	Noon	Bert Mooney Airport
Sept. 2	Historic Preservation Commission	5:30 PM	1 st Floor Conference Room
Sept. 2	Weed Board	7PM	Weed Department
Sept. 3	Butte Aids Support Services	7PM	Community Center
Sept. 3	Health Department	7AM	Health Department
Sept. 3	Fire Advisory Council	5PM	1 st Floor Conference Room
Sept. 4	Civic Center	5PM	Civic Center Hospitality Room

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COMMITTEE OF THE WHOLE MEETING REPORT
AUGUST 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I

COMMUNICATION NO. 08-274

Jon Sesso, Planning Director, requesting time on 4/16/08 agenda for a staff presentation on Draft Plan for Long-Term Future of the National Resource Damage Program. ***Committee recommends that Communication No. 08-274 be held in abeyance.***

SECTION II **COMMUNICATION NO. 08-493**

Robert A. Macioroski, Director Land Records, requesting approval of sale and authorization of the preparation of a resolution for vacant lands in the 400 block of Park Street. ***Committee recommends that Communication No. 08-493 be cross-referenced to Council Resolution No. 08-55 and placed on file.***

SECTION III

COMMUNICATION NO. 08-494

Robert A. Macioroski, Director Land Records, requesting approval of sale and authorization of the preparation of a resolution for 621 W. Quartz Street. ***Committee recommends that Communication No. 08-494 be cross-referenced with Council Resolution No. 08-57 and placed on file.***

SECTION IV **COMMUNICATION NO. 08-496**

Robert A. Macioroski, Director Land Records, requesting approval of sale and authorization of the preparation of a resolution for 715 Utah Avenue (Bud's Bar). ***Committee recommends that Communication No. 08-496 be cross-referenced with Council Resolution No. 08-56 and placed on file.***

SECTION V **COMMUNICATION NO. 08-498**

Charlie O'Leary, Chairman Council of Commissioners, requesting concurrence in referring to Chuck Carrig, Historic Preservation Officer to do an initial review

and inventory of premises of the Pump Station at Divide. *Committee recommends that Communication No. 08-498 be held in abeyance.*

SECTION VI COMMUNICATION NO. 08-503

Jim Smitham, Executive Director BLDC, requesting time on the 7/30/08 Agenda for BLDC to make its annual report on the Economic and Community Development Activities. *Committee recommends that Communication No. 08-503 be placed on file.*

SECTION VII COMMUNICATION NO. 08-516

Sarah Weber, Lad Employment Specialist, requesting a business fee exemption for Workers Now, a non-profit branch of Western Montana Mental Health Center. *Committee recommends that Communication No. 08-516 be held in abeyance.*

SECTION VIII COMMUNICATION NO. 08-519

Deyda Gonzalez and Mark T. Redwine, requesting help and guidance in forming the Montana Latino/Hispanic Historic Heritage and Cultural Preservation Society. *Committee recommends that Communication No. 08-519 be held in abeyance.*

SECTION IX COMMUNICATION NO. 08-531

Susan Stockton, requesting permission to apply for class one kennel license. *Committee recommends that Communication No. 08-531 be denied and placed on file.*

SECTION X COMMUNICATION NO. 08-532

Robert A. Macioroski, Director Land Office, requesting council direct County Attorney to prepare the resolution and deed for transfer of co-owned property to Mark Wyatt. *Committee recommends that communication No. 08-532 be held in abeyance.*

SECTION XI COMMUNICATION NO. 08-533

Robert A. Macioroski, Director Land Office, requesting council direct County Attorney to prepare the resolution and deed for transfer of co-owned property to John and Marijo Macdonald. *Committee recommends that Communication No. 08-533 be held in abeyance.*

SECTION XII**COMMUNICATION NO. 08-534**

Karen Byrnes, Director of Community Development, requesting time on 8/20/08 agenda to conduct a bid opening for the SeaCast Facility in the TIFID #2. *Committee recommends that Communication No. 08-534 be held in abeyance for bid opening.*

SECTION XIII**COMMUNICATION NO. 08-535**

Butte Minister's Association – Steering Committee, requesting a resolution designating August 20, 2008 as “Celebration of Harmony in our Community Day. *Committee recommends that Communication No. 08-535 be placed on file.*

SECTION XIV**COMMUNICATION NO. 08-538**

Robert A. Macioroski, Director Land Records, requesting Council direct County Attorney to prepare the resolution and deed for transfer of the co-owned property to Danette Guidoni and Roberta Perry. **Committee recommends that Communication No. 08-538 be held in abeyance for resolution.**

SECTION XV**COMMUNICATION NO. 08-550**

John P. Walsh, Sheriff, requesting to be placed on 8/13/08 agenda for confirmation of Lisa Howe as permanent member of Butte-Silver Bow Law Enforcement Department. *Committee recommends that Communication NO. 08-550 be placed on file*

SECTION XVI**COMMUNICATION NO. 08-551**

Thomas P. Wood, Tri-City, Inc., time on Council agenda 8/6/08 to make a Presentation on a new retail development on the corner of Longfellow and Harrison and to request a tax abatement. *Committee recommends that Communication No. 08-551 be placed on file.*

SECTION XVII**COMMUNICATION NO. 08-554**

Ellen Crain, Archives Director, requesting a bid opening be scheduled for 9/3/08 for the Archives Project. *Committee recommends that Communication No. 08-554 be held in abeyance.*

FINANCE & BUDGET COMMITTEE MEETING REPORT

AUGUST 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

NOTE: There are no agenda items for this Committee this week.

SECTION I

EXPENDITURE APPROVAL

8/13/08 Meeting

FY 07-08	\$3,276.65
FY 08-09	\$212,034.07

Committee recommends approval of the above claims and places them on file.

JUDICIARY COMMITTEE MEETING REPORT

AUGUST 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 08-421**

Micheline Boysza, Vice President Highland View Golf Club, requesting council consider an application for a gold course beer and wine license. ***County Attorney's office is researching a lease option for the Golf Course. Hold in abeyance for two weeks.***

SECTION II **COMMUNICATION NO. 08-502**

Jim Smitham, Executive Director BLDC, requesting Judiciary Committee to negotiate contract with BLDC for Fiscal Year 2008-2009. ***Committee recommends authorization for Chief Executive to sign contract. Also approves Jim Smitham as initial point of contact for Economic Development Issues.***

SECTION III COUNCIL RESOLUTION NO. 08-52

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THAT PORTION OF IOWA AVENUE BETWEEN BLOCKS 32 AND 34 OF THE CLARK'S ADDITION TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 08-52 be placed on final reading and passed.*

SECTION IV COUNCIL RESOLUTION NO. 08-53

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THAT PORTION OF FIFTH (5TH) STREET BETWEEN 8 AND 10 OF THE MELROSE ADDITION TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 08-53 be placed on final reading and passed*

SECTION V

COUNCIL RESOLUTION NO. 08-55

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY LOCATED IN THE 400 BLOCK OF EAST PARK STREET, LEGALLY DESCRIBED AS LOTS 47-49 AND THE 3.5' OF LOT 50 OF THE LIZZIE LODE, M.S. SECTION 18, TOWNSHIP 3 NORTH, RANGE 7 WEST, BUTTE-SILVER BOW, MONTANA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-55 be placed on final reading and passed.*

SECTION VI

COUNCIL RESOLUTION NO. 08-56

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF LOCAL GOVERNMENT OWNED REAL PROPERTY KNOWN AS 715 UTAH AVENUE, LEGALLY DESCRIBED AS LOT 11, BLOCK 6 OF THE CENTRAL ADDITION FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-56 be placed on final reading and passed.*

SECTION VII

COUNCIL RESOLUTION NO. 08-57

A RESOLUTION RESCINDING BUTTE-SILVER BOW COUNCIL RESOLUTION 06-04 WHICH AUTHORIZED THE SALE OF PARCEL NO. 14710000 TO ANDREW OVERBY, AND AUTHORIZING AN APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY KNOWN AS 621 W. QUARTZ STREET, AND MORE PARTICULARLY DESCRIBED AS THE 2. 17.5' OF LOT 5, THE 3. 10.5' OF LOT 6, BLOCK 2 OF THE PLYMOUTH LODE FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-57 be placed on final reading and passed.*

SECTION V11

COUNCIL RESOLUTION NO. 08-58

A RESOLUTION CREATING SPECIAL IMPROVEMENT DISTRICT NO. 1028 FOR THE PURPOSE OF MAINTAINING AND INSTALLING AN ELECTRICAL LIGHTING SYSTEM; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL IMPROVEMENT LIGHTING DISTRICT; STATING THE PURPOSE OF AND THE GENERAL

CHARACTER OF THE IMPROVEMENTS TO BE MADE IN SAID SPECIAL IMPROVEMENT DISTRICT; ESTIMATING THE APPROXIMATE COST OF MAINTAINING AND SUPPLYING ENERGY THEREOF FOR THE FIRST YEAR; FINDING, DETERMINING, AND DECLARING THAT SUCH PROPERTY SHOULD BE ASSESSED FOR COST THEREOF OF MAINTENANCE AND ENERGY AND EXTENDING SUCH ASSESSMENT TO BE IN SEMI-ANNUAL INSTALLMENTS AND PROVIDING FOR THE FUND UPON WHICH SAID SPECIAL IMPROVEMENT FUNDS SHALL BE DRAWN; WITHDRAWING ALL PROPERTY DESCRIBED IN EXHIBIT "A" FROM OTHER SPECIAL IMPROVEMENT LIGHTING ASSESSMENTS AND PROVIDING FOR THE EFFECTIVE DATE HEREOF. *Committee recommends that Council Resolution No. 08-58 be placed on final reading and passed.*

SECTION VII COUNCIL RESOLUTION NO. 08-59

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS THE CENTER PORTION OF LOTS 23 AND 24 IN BLOCK 7 OF THE NOYES AND UPTON ADDITION BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS; REPEALING COUNCIL RESOLUTION NO. 08-43 DATED JULY 2, 2008 AND ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 08-59 be placed on final reading and passed.*

SECTION IX COUNCIL RESOLUTION NO. 08-60

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOTS 5 AND 7 IN BLOCK 8 OF THE BELL OF BUTTE ADDITION BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN *Committee recommends that Council Resolution NO. 08-60 be placed on final reading and passed.*

SECTION X COUNCIL RESOLUTION NO. 08-61

RESOLUTION RELATING TO WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2008; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF. *Committee recommends that Council Resolution No. 08-61 be placed on final reading and passed*

SECTION VI

COMMUNICATION NO. 08-337

John Harrington, Building Official, requesting to reopen street closure Petition No. 08-3 Jack and Helen McCloskey. *Committee recommends that Communication No. 08-337 be held in abeyance and cross-referenced with Petition No. 08-3 and Council Resolution No. 08-50.*

SECTION VII

COMMUNICATION NO. 08-537

Robert A. Macioroski, Director Land Records, regarding request for power line easement from Northwestern Energy. *Committee recommends that Communication No. 08-537 be held in abeyance. North Western Energy will redo easement papers and submit new ones 8/15/08*

SECTION VIII

COMMUNICATION NO. 08-542

Glen Granger, Commissioner District 1, regarding a letter from Ron Collins requesting the possibility of dedicating Aspen Loop Road to the City. *Committee recommends that Communication No. 08-542 be held in abeyance. Public Works Department will do a study on Aspen Loop Road for construction standards and report back to Public Works Committee.*

PERSONNEL COMMITTEE MEETING REPORT

AUGUST 13, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Personnel Committee, respectfully recommend as follows.

SECTION I **COMMUNICATION NO. 06-730**

Jeff Amerman, Finance and Budget Director, requesting time on 12/20/06 agenda to make an informational report on payroll issues. ***Committee recommends that Communication No. 06-730 be held in abeyance.***

SECTION II COMMUNICATION NO. 08-107

William P. Joyce, Attorney at Law, requesting Council take action to ensure that the benefits of 3 captains in the Sheriff's department be maintained by passing a resolution. ***Committee recommends that Communication No. 08-107 be held in abeyance. Send report from Bill Joyce to County Attorney's office for review***